

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

----- X
SHELLYNE RODRIGUEZ, ET AL.,

Plaintiffs,

DECLARATION
21 Civ. 10815

-against-

THE CITY OF NEW YORK, ET AL.,

Defendants.
----- X

LAURA M. MULLE, declares, pursuant to 28 U.S.C. § 1746, under penalty of perjury, that the following is true and correct:

1. I am an attorney admitted to practice in the State of New York and am designated Director, Police Action Litigation Section, under the Deputy Commissioner, Legal Matters, in the New York City Police Department (“NYPD”) Legal Bureau. My duties and responsibilities include oversight of the Police Action Litigation Section (“PALS”), which has been primarily responsible for preservation and production of evidence in civil litigation since early 2015. I have been employed by the NYPD since 2006 and have held the title of Director since June, 2021.

2. This affidavit is based upon my knowledge of the procedures and practices of the New York City Police Department, as well as a search of electronic records maintained by the Police Department.

3. I submit this affidavit at the request of the New York City Law Department.

4. Despite best efforts, the NYPD and the Law Department have not been able to determine the identities of the individuals named in the Complaint as Does 82 and 86.

5. The numbers on the helmets of officers belonging to patrol, the helmets worn by the officers in the photographs provided by plaintiff, should correspond with officers’ shield

numbers. Upon a search of electronic records maintained by the NYPD, the numbers on the helmets of the officers in the photographs do not correspond to the shield number of any active Member of Service who was on duty on June 4, 2020.

6. Further, the only individual whom Plaintiff identifies by name as being part of her arrest and the alleged constitutional violations that occurred is Detective Nelson Nin.

7. The NYPD has searched for any Body-Worn Camera footage captured by Detective Nin on June 4, 2020, and has found no such footage. Therefore, because this is the only individual plaintiff has identified by name as being part of the alleged unconstitutional violations, and because presumably, Does 82 and 86 would have been captured on his BWC, they are unable to be identified because there is no BWC for Detective Nin.

8. Based on the foregoing, the NYPD and the Law Department have made best efforts and have been unable to identify Does 82 and 86.

Dated: June 2, 2023

/s/ Laura M. Mulle

Laura M. Mulle
Director, Police Action Litigation Section